

**FREEPORT PLANNING &
DEVELOPMENT REVIEW BOARD**
November 15, 2017 Meeting Minutes - Draft

I. Meeting Called to Order

The November 15, 2017 Freeport Planning & Development Review Board Meeting was called to order at 7:00 pm by Steve Thomas/Chair. The meeting was held in the Council Chambers of Freeport City Hall.

Board members present: Steve Thomas, Ricky Fannin, Shaun Arntz, Gary Adams and John Konopacki.

Staff present: Latilda Hughes-Neel/Planning Director, Clay Adkinson/Board Attorney

II. Invocation / Pledge of Allegiance

The Invocation was given by Hughes-Neel, followed by the Pledge of Allegiance to the American Flag.

III. Approval of September 13, 2017 Regular Meeting Minutes

Board Action: Konopacki motioned to accept the September 13, 2017 Planning & Development Review Board Meeting Minutes as presented. Adams seconded the motion. All ayes; motion carried.

IV. Election of Chair/Vice-Chair for 2017-2018 FY

1. Election of 2017/2018 Chair

Board Action: Konopacki motioned to elect Gary Adams as Chair. Arntz seconded the motion. All ayes; motion carried.

2. Election of 2017/2018 Vice-Chair

Board Action: Adams motioned to elect John Konopacki as Vice-Chair. Arntz seconded the motion. All ayes; motion carried.

V. Affordable Housing Needs in Walton County

1. Update by Tom Baker E.D. – Walton Co. Housing Authority

- Directs 1.8 million dollars in housing assistance
- Primarily in DeFuniak Springs
- Shortage of housing

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- Serves 300 + families
- Low income Section 8 rental properties
- 100 clients with rental vouchers and nowhere to live
- Funding may be withdrawn if suitable affordable housing is not found
- Looking for assistance in solving the housing problem

2. Discussion

The Board thanked Mr. Baker for his information.

VI. Update & Discussion/Medical Marijuana

1. Legislative Update/Attorney Adkinson

- The Moratorium on Medical Marijuana was put into effect by the City Council via Ordinance 2017-03 on March 14, 2017 for 240 days (8 months)
- Senate Bill 88 was passed by the Legislature in June 2017 – no provision for Home Rule Authority
- Cities and counties cannot regulate the growing or distribution of medical marijuana
- MMTCs (Medical Marijuana Treatment Centers) /Dispensaries are still in play
- The City has two choices; either allow medical marijuana dispensaries (MMTCs) anywhere that pharmacies are allowed or ban them (MMTCs) altogether
- Cannot limit the number of dispensaries
- Can establish locational criteria
- Must mirror the city regulations for pharmacies
- Cannot charge additional fees
- The City Council will determine if they are banned/not banned
- Cannot be placed within 500 feet of a public/private school
- The moratorium gave us time to prevent preemption
- The general approach/actions to be taken:
 - Formal Hearing/Quasi-judicial Proceeding
 - Address Public Health, Safety and Welfare
 - Ordinance to either ban MMTCs or regulate MMTCs
 - ✓ To regulate, enact two ordinances:
Ordinance 1) define where pharmacies are allowed
Ordinance 2) permits MMTCs within jurisdictional areas consistent within locational criteria for pharmacies

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- ✓ To ban, enact one ordinance banning MMTCs outright.
- Once the City decides to allow/regulate MMTCs, they cannot be zoned out/Burt Harris claim

2. Chris Weeks/Weeks Pharmacy/pharmacy industry update on issue

Chris Weeks, owner and operator of Weeks Pharmacy, addressed the Board.

- Weeks Pharmacy has been in business in the City of Freeport for 30 years.
- For the record, Mr. Weeks is not interested in establishing a MMTC at Weeks Pharmacy or being involved in medical marijuana in any way; there is a social stigma attached to marijuana. There are concerns about the criminal element surrounding MMTCs; being able to secure the facility against theft. Weeks Pharmacy been broken into between 15-20 times over 30 years, twice in the last 5 years.
- Medical marijuana does provide beneficial relief for Parkinson's, migraines, AIDS, cancer, epilepsy, etc. There is a need for MMTCs, but not necessarily in Freeport, Florida. Larger urban areas would have a larger clientele.
- Current registered medical marijuana users can order their prescription, and have it mailed to them.
- The side effects and long-term effects of medical marijuana use are still being studied, i.e. brain function, memory, addiction, etc. Not as addictive as opioids, but still addictive/creates dependency.
- The pharmacy industry is still studying the medical marijuana issue
- Medical marijuana is derived on components of the cannabis plant
- Medical marijuana forms include drops, vapor, wafers (cookies), etc.; not smokable cannabis.

3. Discussion/Public Comment

- The current issue is separate and apart from the Colorado recreational model.
- Until the City adopts an ordinance banning MMTCs, anyone who becomes licensed by the state to operate a MMTC can apply to develop a MMTC. The first question to be asked of anyone inquiring about setting up a MMTC is to show proof of their license to operate a MMTC.
- MMTCs are a cash business. FIC banks cannot finance MMTCs or processing payments for medical marijuana because marijuana is still prohibited under federal law.

The Board thanked Weeks for discussing the issues with them.

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VII. LDC Revision – Transfer Stations and Other Similar Uses

1. Presentation of Amendment Language/Hughes-Neel

Hughes-Neel advised the Board that during the October 25, 2017 City Council meeting, the City Council had directed staff to process a Land Development Code revision for the prohibition of transfer stations and other similar uses. The City Council reviewed the amendment and held the 1st Reading of the draft ordinance on November 14, 2017. The 2nd/Adoption hearing is scheduled for December 12, 2017

Hughes-Neel presented the draft ordinance regarding the Land Development Code Amendment to prohibit transfer stations, material recovery facilities and other similar uses and draft language for Article 3 of the Land Development Code. The draft language expands prohibited uses pertaining to landfills to include “transfer stations, material recovery facilities or other similar uses”. Hughes-Neel also presented draft language to be added to Appendix B Definitions of the Land Development Code, a definition of “Transfer Stations, Material Recovery Facilities and Other Similar Uses”.

2. Discussion/public comment: none.

3. Board Recommendation to City Council

Board Action: Adams motioned to recommend approval of the Land Development Code Amendment as presented. Konopacki seconded the motion. All ayes; motion carried.

VIII. 331 Corridor Standards Draft Outline

1. Outline Review

Hughes-Neel presented a draft outline of 331 Corridor Standards and requested feedback from the Board.

2. Discussion/Public Comment

The Board directed Hughes-Neel to proceed with draft standards using the outline presented.

IX. Approval of 2017/2018 Meeting Schedule

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Board Action: Arntz motioned to approve the 2017/2018 Meeting Schedule as presented. Konopacki seconded the motion. All ayes; motion carried.

X. Adjournment

Chair Thomas called for a motion to adjourn. Adams motioned to adjourn, seconded by Fannin. The meeting adjourned at 9:10 pm.

DRAFT